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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

OSRAM SYLVANIA, INC.,

Plaintiff,

vs.

AMERICAN INDUCTION
TECHNOLOGIES, INC.,

Defendant.

CASE NO. CV 09-8748-R

JUDGMENT

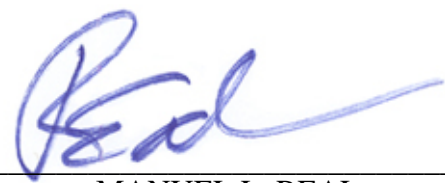
This Court having considered and granted plaintiff and counterclaim-defendant Osram Sylvania, Inc.'s ("OSI") Motion for Judgment on Partial Findings pursuant to Federal Rule of Civil Procedure 52(c) that no inequitable conduct occurred during prosecution of U.S. Patent No. 5,834,905 following a bench trial from September 20-22, 2011, and having considered the testimony, both live and by deposition, the documentary evidence, the arguments of counsel, and the applicable law including *Therasense v. Becton Dickinson and Co.*, 649 F.3d 1276 (Fed. Cir. 2011) (en banc), and having so considered and reviewed and for the reasons as set forth in the Court's Findings of Fact and Conclusions of Law on Inequitable Conduct, and good cause appearing,

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that

1. No inequitable conduct occurred during prosecution of U.S. Patent No. 5,834,905;

2. U.S. Patent No. 5,834,905 is not unenforceable due to inequitable conduct;
3. The clerk shall enter judgment in favor of plaintiff and counterclaim-defendant OSI, and against defendant and counterclaim-plaintiff American Induction Technologies, Inc., (“AITI”) on AITI’s Third Claim for Relief for patent unenforceability due to inequitable conduct as set forth in Docket No. 56-2.
4. AITI’s Third Claim for Relief is hereby dismissed with prejudice and AITI shall take nothing thereby.

DATED: October 28, 2011.



MANUEL L. REAL
UNITED STATES DISTRICT JUDGE